

REMARKS

Claims 1-5 are pending. Claims 1 and 4 are independent. Claim 3 is amended, and claims 4 and 5 are new.

Drawings

The drawings were objected to under 37 C.F.R. 1.83(a). As per the Examiner's comments a heat sink 510 has been added to Figure 5. A Drawing Change Authorization Request is transmitted herewith reflecting this change. Accordingly, Applicants respectfully request removal of this objection.

Claim Rejections 35 U.S.C. § 112

Claims have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Applicants respectfully traverse this rejection.

As per the Examiner's comments, claim 3 has been amended. Therefore, Applicants respectfully request withdrawal of this rejection.

Claim Rejections 35 U.S.C. § 103

Claims 1 and 3 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maue et al. (U.S. Pat. No. 5,995,380). Applicants respectfully traverse this rejection.

Maue et al. disclose an electrical junction box for an automotive

vehicle to provide electrical power to and from electrical harnesses 13 and 15. The box includes a two-part plastic housing with a hinged cover containing a circuit board. As shown in Figs. 2 and 3, the circuit board includes male blades 117 formed and plated as part of the circuit board.

It is the Examiner's position that blades 117 located on circuit boards 63 and 51 correspond to the power pins and signal pins of claim 1. However, the Examiner admits that Maue et al. do not disclose the features of claim 1 including, "power pins and signal pins disposed adjacent to three edges on a surface of the case in a manner such that substantially a U-shaped arrangement is obtained." To make up for the deficiencies of Maue et al., the Examiner relies on design choice.

Applicants respectfully submit that the Examiner's rejection of claim 1 based on design choice is improper. In In re Chu, 66 F.3d 292, 36 USPQ2d 1089 (Fed. Cir. 1995), the Federal Circuit reversed a rejection made by an Examiner and upheld by the Board of Appeals, wherein the difference between the claimed invention and the prior art was alleged to be merely a matter of "design choice".

In Chu, Applicants argued that none of the cited prior art references taught positioning the SCR catalyst inside the bag retainer as claimed. Applicants further argued that this was a significant feature because the bag retainers provided support and prevented the filter bags from collapsing during pulse-jet cleaning.

The Court of Appeals for the Federal Circuit, in Chu, held that in a

proper obviousness determination, whether the changes from the prior art are minor or not, the changes must be evaluated in terms of the whole invention, including whether the prior art provides any teaching or suggestion to one of ordinary skill in the art to make the changes that would produce patentees' device. The Court held that there was no teaching or suggestion in the prior art that would lead one of ordinary skill in the art to modify the prior art structure to place the SCR within a bag retainer, as opposed to between two filter bags as disclosed by the prior art reference.

Applicants respectfully submit that an analogous situation is present with regard to claim 1 and the Examiner's attempted rejection of claim 1 over the sole reference of Maue et al. As discussed in the Specification on page 8, lines 17-24, the U-shape defined by the power pins and signal pins is not arbitrary. Rather, Applicants discovered that the specific shape allowed the entire size of the system module to be reduced and improved the assemblage of the module to an appliance. Maue et al. do not provide any teaching with respect to decreasing the size of the junction box or ease in attaching or assembling the junction box to an appliance. Rather, Maue et al. focus on reducing the parts of the junction box by forming them as integrated parts. Therefore, Maue et al. do not provide any teaching or suggestion which would lead one of ordinary skill in the art to modify Maue et al. and change the positioning of the blades

Accordingly, claim 1 is allowable over the prior art. Regarding claim 3, this claim is allowable for at least the same reasons as corresponding independent claim 1. Therefore, Applicants respectfully request withdrawal of this rejection.

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Maue et al. as applied to claim 1 above and further in view of Cooper et al. (U.S. Pat. No. 5,375,040). Applicants respectfully traverse this rejection.

As discussed above, Maue et al. do not disclose all the features of independent claim 1 from which claim 2 depends. Cooper et al. do not make up for the deficiencies of Maue et al. As illustrated in Figs. 1 and 5, at most Cooper et al. only disclose pins on two sides of an electronic housing. Therefore, Cooper et al. could not possibly disclose the U-Shape discussed above.

Accordingly, claim 2 is allowable over the prior art and Applicants respectfully request withdrawal of this rejection.

New claim

Newly added claims 4 and 5 are supported in the specification by at least page 8, lines 17-24. Further, claims 4 and 5 are allowable because as discussed above the prior art does not disclose at least all the features of independent claim 4.

CONCLUSION

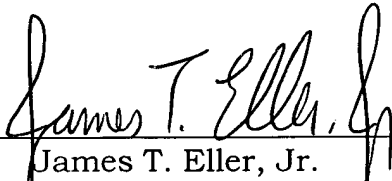
In view of the above amendments and remarks, reconsideration of the rejection and allowance of claims 1-5 is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to contact the Jayne Saydah (Reg. No. 48,796) at (703) 205-8000, in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachments: Abstract of the Disclosure
Version With Markings Showing Changes Made